

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF THE STATE OF NEW YORK
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DAVID GOLDSTEIN,

-against-

**PLAINTIFF'S
AFFIDAVIT**

COUNTY OF SUFFOLK, SUFFOLK COUNTY EXECUTIVE
STEVEN BELLONE, in his official capacity only.
SUFFOLK COUNTY POLICE COMMISSIONER RODNEY K.
HARRISON, in his official capacity only, SUFFOLK
COUNTY COMMANDING OFFICER OF THE PISTOL LICENSING
BUREAU LIEUTENANT MICHAEL KOMOROWSKI, in his
official capacity only, SUFFOLK COUNTY POLICE
OFFICER CIARA PLIHCIAK, in her individual and
official capacity, SUFFOLK COUNTY POLICE
OFFICER/PISTOL LICENSING BUREAU POLICE OFFICER
DANIEL JUGAN, in his individual and official
capacity, JOHN AND JANE DOE NO. 1-10, in their
official and in their individual capacity.

Defendants.

-----X
DAVID GOLDSTEIN, hereby affirms under penalty of perjury the
following:

(1) I am the plaintiff in the above captioned
matter, as such I am fully familiar with all the facts and
circumstances and proceedings heretofore.

(2) As plaintiff in the above captioned matter, I
verified the complaint.

(3) I submit this affidavit in support of this
Order to Show Cause to seek the return of my pistol license and
the return of all my weapons seized by the SUFFOLK COUNTY POLICE
Department PISTOL LICENSE SECTION.

(4) That I was originally hired as a Law
Enforcement Officer by the Sullivan Sheriff's Department on May
27, 1980.

(5) I was called for the NYPD on September 2, 1980
and served with NYPD until April 10, 1982.

(6) During that time I served in the 71st Precinct
in Crown Heights and Flatbush Brooklyn.

(7) This particular area was designated an "A" House due the high level of crime.

(8) I made numerous felony arrests during my time with the NYPD.

(9) On I was appointed on April 12, 1982 as a Suffolk County Police Officer.

(10) That I attended and graduated from the Suffolk County Police Department Academy on August, 1982.

(11) That after graduation from I was placed on patrol in the Sixth Precinct and proceeded to enforce the laws of the State of New York and the County of Suffolk.

(12) I was assigned to the 6th Police Precinct where I made numerous arrests and was an active patrol officer.

(13) In 1985 I was assigned to Highway Patrol for approximately five (5) years.

(14) Thereafter, was I assigned to communications in Headquarters, Yaphank, New York.

(15) I was then assigned as a Seasonal Patrol Officer to Fire Island for the summer of 1991.

(16) I returned to patrol in the 6th Precinct again effecting many arrests and enforcing all laws.

(17) In May 1992, I was assigned to the Suffolk County Marine Bureau where I was trained as a Police Diver and Patrol Boat Operator.

(18) In 1996 I was called upon to dive on the TWA Flight 800.

(19) I remained with the Suffolk County Police Department Marine Bureau until my retirement on January 4, 2018.

(20) I served in law enforcement for over thirty-seven (37) years without any discipline issues.

(21) After retiring from the Suffolk County Police Department I joined the Port Jefferson Volunteer Fire Department to continue serving my community.

(22) On or about March 16, 2020 I was notified that my pistol permit was suspended due to a medical condition

regarding my wife.

(23) My wife is also a retired a Suffolk County Police Officer.

(24) Thereafter, I was advised that my pistol permit was reinstated and my weapons returned in November of 2020.

(25) In March of 2022 I was again told my pistol permit was being suspended and my weapons seized due to my wife's medical issue.

(26) I complied and surrendered my pistol permit and weapons.

(27) That I have on many on occasions seen individuals who I have enforced laws against.

(28) While no incidents have occurred during these encounters I am fearful that one could occur.

(29) The threat of harm to law enforcement and former law enforcement has greatly increased since the events occurring in 2020 and continuing to this day.

(30) Moreover, as I continue to reside in the same community for decades, I have had on several occasions people see an incident and turn to me and say out loud "you're a cop do something".

(31) While I understand their intentions are good, these people are placing me in a dangerous situation.

(32) Particularly as I am now unarmed and being identified as a law enforcement officer.

(33) I am a law abiding citizen.

(34) I have committed no act or crime for which I should be punished nevertheless disarmed from carrying a firearm.

(35) At no point have I been charged or convicted of a crime.

(36) At no point have I been committed to a mental health facility.

(37) The defendants, individually and jointly, have taken my firearms and not allowed the return of my firearms.

(38) The defendants, individually and collectively, have enforced a policy against me that serves to deprive me of my ability to exercise my Second Amendment rights.

(39) The defendants, individually and jointly, refuse to return my weapons or my firearm license.

(40) Even after hiring an attorney, the defendants refuse to return my property.

(41) Even after informing defendants, individually and collectively, of a pending legal action, defendants refuse to return my firearms, my property, or allow me to exercise my Second Amendment rights.

(42) I have no other remedy at law.

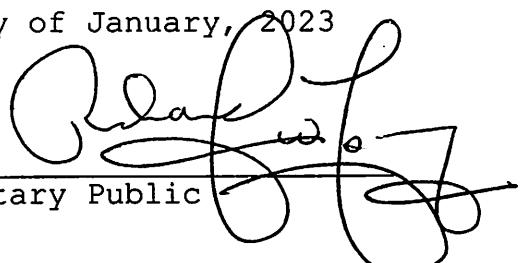
(43) The above is true and accurate.

Dated: January 3, 2023
Central Islip, New York



David Goldstein

30th Sworn to before me this
day of January, 2023



Notary Public

RICHARD W. YOUNG
Notary Public State of NY
02Y05022729 Qual Suffolk Co.
Commission Expires Jan. 18, 2026